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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,)
9)
Plaintiff,) Case No. CR07-44-RSL
10 v.) **PROPOSED FINDINGS OF FACT**
11) **AND DETERMINATION AS TO**
MICHAEL KEITH CUMMINGS,) **ALLEGED VIOLATIONS OF**
12 Defendant.) **SUPERVISED RELEASE**

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on March 1,
15 2010. The defendant appeared pursuant to warrant issued in this case. The United States was
16 represented by Todd Greenberg, and defendant was represented by Kyanna Stephens. Also
17 present was U.S. Probation Officer Sara Moore. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on January 25, 2008 by the Honorable Robert S. Lasnik for Felon
20 in Possession of a Firearm. He received 36 months of detention and 3 years of supervised
21 release.

22 PRESENTLY ALLEGED VIOLATIONS

23 In a petition dated February 25, 2010, Senior U.S. Probation Officer Jennifer J. Tien alleged

1 that defendant violated the following conditions of supervised release:

2 1. Failing to comply with the rules and regulations of the residential reentry center by
3 being terminated on February 25, 2010, in violation of the special condition that he reside in and
4 satisfactorily participate in the program until discharged by his probation officer.

5 FINDINGS FOLLOWING EVIDENTIARY HEARING

6 Defendant admitted the above violations, waived any hearing as to whether they occurred,
7 and was informed the matter would be set for a disposition hearing March 15, 2010 at 9:00 a.m.
8 before District Judge Robert S. Lasnik.

9 RECOMMENDED FINDINGS AND CONCLUSIONS

10 Based upon the foregoing, I recommend the court find that defendant has violated the
11 conditions of his supervised release as alleged above, and conduct a disposition hearing.

12 DATED this 1st day of March, 2010.

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16 BRIAN A. TSUCHIDA
17 United States Magistrate Judge
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